

## REMARKS

Claims 1-19 are pending in the application. The Examiner has rejected Claims 4, 12, 14 and 16 under 35 U.S.C. §112, second paragraph, for failing to particularly point out and distinctly claim the subject matter which the applicants regards as their invention. The Examiner has rejected Claims 1, 4, 8 and 12-15 under 35 U.S.C. §103(a) as being unpatentable over Tiedmann, Jr. (U.S. Patent 6,275,478). The Examiner has rejected Claims 16-19 under 35 U.S.C. §103(a) as being unpatentable over Tiedmann, Jr. in view of Yang et al. (U.S. Patent 6,198,936). The Examiner has rejected Claims 2, 6, 9 and 11 under 35 U.S.C. §103(a) as being unpatentable over Tiedmann, Jr. in view of Bender et al. (U.S. Patent 6,539,030). The Examiner has rejected Claims 3, 7 and 10 under 35 U.S.C. §103(a) as being unpatentable over Tiedmann, Jr. in view of Bender et al., and further in view of Honkasalo et al. (U.S. Patent 6,091,717). The Examiner has rejected Claim 5 under 35 U.S.C. §103(a) as being unpatentable over Tiedmann, Jr. in view of Guitierrez (U.S. Patent 6,519,233). The Examiner has rejected Claim 6 under 35 U.S.C. §103(a) as being unpatentable over Tiedmann, Jr. in view of Guitierrez, and further in view of Bender et al. The Examiner has rejected Claim 7 under 35 U.S.C. §103(a) as being unpatentable over Tiedmann, Jr. in view of Guitierrez and Bender et al., and further in view of Honkasalo et al.

Please enter new Claim 20.

It is respectfully submitted that two of the cited references, namely Bender et al. (U.S. Patent 6,539,030) and Lee et al. (U.S. Patent 6,614,810) are not proper references based on their filing dates and the Foreign Priority filing dates of the present application. Enclosed herewith are certified English translations of the priority documents (namely, KPAs 1999/27911, 1999/34013 and 1999/42136) to overcome the rejections of Claims 2, 3, 6, 7 and 9-11. Withdrawal of the references and rejections of Claims 2, 3, 5, 6 and 9-11 is respectfully requested.

Regarding the rejection of Claim 4 under §112, second paragraph, the Examiner states that the phrase "the message transmitted on a forward common channel" lacks antecedent basis. Although the wording of the phrase is believed to be technically correct, a minor amendment to

the claim has been made to clarify the meaning of the phrase in question. Claim 4 has been amended to partially read as follows: "...wherein the generated message is transmitted on a forward common channel and is one of the following messages requiring response messages..." Withdrawal of the rejection of Claim 4 is respectfully requested.

Regarding the rejection of Claim 12 under §112, second paragraph, the Examiner states "a receiver is generally not reserved, though channels often are." Claim 12 has been amended to partially read as follows: "...a reverse common channel ~~receiver~~ to be reserved..." Withdrawal of the rejection of Claim 12 is respectfully requested.

The Examiner rejected Claims 14 and 16 under §112, second paragraph, stating the "reserving an available reverse common channel to be designated in a physical channel of the base station" is indefinite. Again, although the wording of the phrase is believed to be technically accurate, to clarify the reading, Claims 14 and 16 have been amended to partially read as follows: "...to be assigned to ~~designated in~~ a physical channel..." Withdrawal of the rejections of Claims 14 and 16 is respectfully requested.

Regarding the rejections of Claims 1, 5, 8 and 12-19, the Examiner states on page 3 of the Office Action "wherein while it is not explicitly stated that the reverse channel is a common channel, for all intents and purposes, to 'regulate access to the multiple access channels by the mobile stations' (col 5, lines 65+) obviously defines such a channel." Applicants respectfully submit that the Examiner is misreading the claims and misapplying the reference. Tiedemann, Jr. applies to transmitting power control bits to one or more mobile stations to control each access channel assigned to each of the mobile stations. Tiedemann, Jr. does not designate a reverse common channel as a dedicated or reserved channel as recited in the claims of the present application. The remaining cited references do not cure this defect. Based on the foregoing arguments, withdrawal of the rejections of Claims 1, 5, 8 and 12-19 is respectfully requested.

*Actually  
no*

Independent Claims 1, 5, 8 and 11-19 are believed to be in condition for allowance. Without conceding the patentability per se of dependent Claims 2-4, 6, 7, 9 and 10, these are

likewise believed to be allowable by virtue of their dependence on their respective amended independent claims. Accordingly, reconsideration and withdrawal of the rejections of dependent Claims 2-4, 6, 7, 9 and 10 is respectfully requested.

Accordingly, all of the claims pending in the Application, namely, Claims 1-20, are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicants, attorney at the number given below.

Respectfully submitted,



Paul J. Farrell  
Reg. No. 33,494  
Attorney for Applicant

DILWORTH & BARRESE  
333 Earle Ovington Blvd.  
Uniondale, New York 11553  
Tel: (516) 228-8484  
Fax: (516) 228-8516

PJF/MJM/dr